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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,628	04/04/2007	Christian Peter Petzelt	02839/46201	8178
26646	7590	10/14/2009	EXAMINER	
KENYON & KENYON LLP			ARNOLD, ERNST V	
ONE BROADWAY				
NEW YORK, NY 10004			ART UNIT	PAPER NUMBER
			1616	
			MAIL DATE	DELIVERY MODE
			10/14/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/576,628	PETZELT ET AL.	

Examiner	Art Unit	
ERNST V. ARNOLD	1616	

All Participants:

Status of Application: _____

(1) ERNST V. ARNOLD.

(3) ____.

(2) Joseph Coppola.

(4) ____.

Date of Interview: 7 October 2009

Time: _____

Type of Interview:

- Telephonic
 Video Conference
 Personal (Copy given to: Applicant Applicant's representative)

Exhibit Shown or Demonstrated: Yes No

If Yes, provide a brief description: _____.

Part I.

Rejection(s) discussed:

Claims discussed:

Prior art documents discussed:

See Continuation Sheet

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See below.

Part III.

- It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Ernst V Arnold/

Primary Examiner, Art Unit 1616

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Identification of prior art discussed: The Examiner contacted Mr. Coppola to follow up on the interview of Friday October 02. It was determined by the Office (STIC search) that the reference of Bedi et al. Crit Care Med 2003 was entered into Pubmed on 10/8/03 (see page 2 of 2 of the attachment underlined in red) and is therefore prior art.

PTO-892 is attached.